

Claim Amendments

Status of the Claims

Claims 1 - 26 are pending in this application.

Claims 1 - 26 are rejected.

Claims 1 – 9, 11 – 15, 17 – 24 and 26 have been amended. Support for these amendments can be found throughout the specification, claims, and drawings, as originally filed. This listing of claims will replace all prior versions, and listings, of claims in the application.

Claim 1. (Amended) A computer based method that allows a client to control and manage [for managing] the cost of a lawsuit independent of hourly rates comprising the steps of:

- a) Selecting pre-established process maps each consisting of [the] individual tasks to be done in the lawsuit;
- b) setting pricing and value variables for each individual task to be done which eliminates hourly rates in said method;
- c) the client establishing a lawsuit budget by individual task which an outside counsel must follow;
- d) providing a case status module with real time information on how the lawsuit is proceeding based upon individual task performed;
- e) providing a point and click billing module for automatically [sending] submitting invoices to [corporate counsel] the client, the invoices having amounts that equal the value variables for individual tasks that have been pre-established and performed; and
- f) providing an exceptions module to allow for automatic approval or denial of new work submitted by outside counsel to be done that is beyond the budget.

Claim 2. (Amended) The method as claimed in claim 1, further comprising the step of providing statistical reporting to the client, whereby data is stored and

statistical information is generated using the data on all outside counsel for exact task cost comparison.

Claim 3. (Amended) The method claimed in claim 1, wherein the step of selecting process maps includes selecting each anticipated [aspect] task of the lawsuit and using the process maps that are in the system.

Claim 4. (Amended) The method as claimed in claim 1, wherein the step of creating process maps includes identifying each individual task to be performed in the lawsuit and inputting the level of expertise of the person who will be doing each task.

Claim 5. (Amended) The method as claimed in claim 1, wherein the step of setting price and value variables includes the client establishing limits for each task to be performed.

Claim 6. (Amended) The method as claimed in claim 1, wherein the step of setting price and value variable includes the client inputting upper and lower control limits for each task.

Claim 7. (Amended) The method as claimed in claim 1, wherein the step of setting price and value variables includes inputting into a data base firm name, location, type of case, and type of lawyer.

Claim 8. (Amended) The method as claimed in claim 1, wherein the step of establishing a budget includes the client generating values for each individual task, [a] the client electronically submitting the budget to outside counsel [a firm], and the outside counsel [firm] either accepting or rejecting the budget by a submission back to the client.

Claim 9. (Amended) The method as claimed in claim 8, wherein the step of rejecting the budget includes allowing [a firm] outside counsel to generate a counterproposal budget by adjusting the individual tasks and electronically submit same to the client.

Claim 10. (Original) The method as claimed in claim 1, wherein the step of providing a case status module includes providing a client with current information on status of a particular lawsuit by transmission of such information over the internet.

Claim 11. (Amended) The method as claimed in claim 1, wherein the step of providing a point and click billing module includes inputting the work that has been completed into a computer by clicking an ABA code representative of the work area

completed, clicking on the specific pre-approved task that has been performed, clicking on a tab to bill it, and automatically sending a bill via internet to a client.

Claim 12. (Amended) The method as claimed in claim 1, wherein the step of providing a point and click billing module includes electronically sending a pre-approved non-hourly based bill to a customer once the task has been completed, and the [customer] client electronically or manually causing payment to [a firm] outside counsel.

Claim 13. (Amended) The method as claimed in claim 1, wherein the step of providing a point and click billing module includes [allowing] requiring a firm to electronically bill a customer once a pre-approved task is performed.

Claim 14. (Amended) The method as claimed in claim 1, wherein the step of providing an exceptions module includes allowing [a firm] outside counsel to electronically submit requests for approval of new work that is not in [a] the actual budget, and allowing a client to approve, modify or reject the request.

Claim 15. (Amended) The method as claimed in claim 1, wherein the step of providing an exceptions module includes outside counsel submitting a [quote] request for new work, and [the system] approving the [quote] request if it is within a previously set default pricing variable.

Claim 16. (Original) The method as claimed in claim 1, wherein the step of providing an exceptions module includes allowing a client to obtain current status of prior exceptions requests.

Claim 17. (Amended) The method as claimed in claim 2, wherein the step of providing statistical reporting includes graphically outputting historical information based on data that is generated by [the system] said method.

Claim 18. (Amended) The method as claimed in claim 1, further comprising the step of providing incentives for exceptional performance by [a firm] outside counsel, electronically notifying [a firm] outside counsel of the exceptional performance, and compensating [the firm] outside counsel.

Claim 19. (Amended) A client controlled computer based litigation cost management system that is not hourly based comprising:

a module operable for [imputing] inputting data for establishing [a] an actual budget, said module including a feature for [imputing] inputting values to each task, and a feature for [imputing] inputting the level of expertise to be used on each task;

a module for statistically reporting each task to the client to verify if it is in control; and,

an exceptions module that is controlled by the client for accommodating alterations to the budget.

Claim 20. (Amended) The computer based cost management system as claimed in claim 19, further comprising a module for electronically billing a client based on pre-determined task cost and receiving automatic approval and payment.

Claim 21. (Amended) A client controlled litigation cost management system comprising:

a module that maps out in detail the tasks, decision points and litigation variables for the process of litigation;

a module for assigning dollar values to each task [part] of the process;

a module for inputting [the rates] pre-approved dollar values for each task to be charged by [each] counsel; and

a module for imputing other information.

Claim 22. (Amended) A cost control and management system for assisting in-house counsel in reducing litigation cost comprising:

a real time analysis module that is operable to inform in-house counsel in reducing litigation cost;

a real time budget and cost to complete module that is created by in-house counsel; and

[an alert module operable to inform someone when the case goes over budget; and]

an exception module that is operable to permit outside counsel to request to modify [updating of] the budget when a task outside of the budget arises, said in-house counsel being operable to deny said request, if the request is approved, the budget is revised.

Claim 23. (Amended) A point and click litigation cost management system that is created and then controlled by a customer comprising:

an input module for entering work that has been completed by a firm and generating an invoice;
a transfer device for communicating the invoice to [a] the customer;
a processing department operated by the customer that is operable to receive the invoice from the transfer device; and
a means for transmitting payment information to [the] a firm.

Claim 24. (Amended) The cost management system as claimed in claim 23, further comprising a means for providing exceptions requests to the budget through electronic submission by the firm [outside counsel] to [in-house counsel] the customer.

Claim 25. (Original) The cost management system as claimed in claim 24, further comprising a module for tracking each exception that is requested, so as to make decisions based on a litigation process that is consistent for all outside law firms.

Claim 26. (Amended) A system of a law firm and corporate counsel managing the cost of litigation for a case comprising:

the corporate counsel generating [a] an actual working budget based on defaults and price variables;
the actual budget being electronically submitted to a law firm;
the budget being approved, rejected or modified by the law firm;
the case proceeding based upon an agreed upon budget; and
the law firm electronically requesting exceptions when a task is outside of the agreed upon actual budget, said corporate counsel either accepting or rejecting the exceptions.